



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

APR 10 2019

Ted Henifin, General Manager
Hampton Roads Sanitation District
1436 Air Rail Avenue
Virginia Beach, Virginia 23455

Re: United States and Commonwealth of Virginia v. Hampton Roads Sanitation District
Civil Action No. 2:09-cv-00481-JBF-TEM

Dear Mr. Henifin:

Paragraph 110 of the Consent Decree requires HRSD to pay stipulated penalties for Sanitary Sewer Discharges (SSDs), as defined in the Consent Decree, in the amounts set forth in that paragraph. On August 1, 2018, the U.S. Environmental Protection Agency (EPA) made a demand for stipulated penalties pursuant to the terms of the Decree in the amount of \$117,100 for 34 SSDs for the period of January 1, 2016 through December 31, 2017. EPA subsequently dropped the demand for one of the SSDs. HRSD filed a formal Notice of Dispute as to EPA's demand for the remaining 33 SSDs. The parties have since reached agreement on the dispute. HRSD is now required to pay stipulated penalties in the amount of \$73,575. Pursuant to Paragraph 123 of the Consent Decree, one half of this amount is to be paid to the United States (\$36,787.50) and one half to the Commonwealth of Virginia (\$36,787.50).

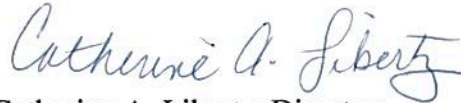
In addition, HRSD has agreed to routinely provide to EPA and the Virginia Department of Environmental Quality (VADEQ) its post-storm synopses reports and its annual post-SSO analyses. HRSD will provide these reports fifteen days after each of the reports is completed. We anticipate that this requirement will be added to any future amendment of the consent decree.

Please make payment of the stipulated penalty in the manner specified in Paragraph 127 of the Consent Decree. In addition, please email a copy of the Payment Transfer Confirmation referencing DOJ Docket No. 90-5-1-09125 and Civil Action No. 2:09-cv-481 to roundtree.yvette@epa.gov.



Your cooperation in this matter is greatly appreciated. If you have any questions, please contact Yvette C. Roundtree, Senior Assistant Regional Counsel, at (215) 814-2685.

Sincerely,

A handwritten signature in cursive script, reading "Catherine A. Libertz".

Catherine A. Libertz, Director
Water Protection Division

cc: Paul Calamita, Esq.
Nancy Flickinger, US DOJ
Kristen Sadtler, VA DEQ
Craig Nicol, VA DEQ
Kim Butler, VA DEQ